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TECHNOLOGIES, INC., SERGIO MAGISTRI
and ROSS MULHOLLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE INVISION TECHNOLOGIES, INC.
SECURITIES LITIGATION

Case No. C-04-3181 (MJJ)

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING BRIEFING SCHEDULE FOR
MOTION TO DISMISS AMENDED
CONSOLIDATED COMPLAINT**

The Honorable Martin J. Jenkins

This Stipulation is entered into by and among lead plaintiffs, the Glazer Funds ("Plaintiffs"), and defendants InVision Technologies, Inc. ("InVision"), Sergio Magistri and Ross Mulholland (collectively, "Defendants"), by and through their respective attorneys of record.

WHEREAS, Plaintiffs filed an Amended Consolidated Complaint on April 13, 2005;

WHEREAS, on April 25, 2005, the Court entered an Order Regarding Briefing Schedule for Motion to Dismiss Amended Consolidated Complaint (the "April Order");

STIPULATION AND ORDER RE BRIEFING
SCHEDULE FOR MOTION TO DISMISS ACC
CASE NO. C-04-3181 (MJJ)

E-filing

10 JUL 12 4:10:22
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

JUL 13 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 WHEREAS, Defendants filed a Motion to Dismiss Plaintiffs' Amended Consolidated
2 Complaint on May 24, 2005, pursuant to the April Order;

3 WHEREAS, Plaintiffs filed an Opposition to Defendants' Motion to Dismiss the
4 Amended Consolidated Complaint on June 28, 2005 pursuant to the April Order;

5 WHEREAS, Defendants' reply brief is due to be filed on or before July 12, 2005 pursuant
6 to the April Order;

7 WHEREAS, the hearing on Defendants' motion to dismiss is currently scheduled for
8 July 26, 2005 at 9:30 a.m.;

9 WHEREAS, Susan S. Muck, lead counsel for InVision, is scheduled for surgery on the
10 morning of July 12, 2005;

11 WHEREAS, Ms. Muck's surgery has only recently been scheduled, and has required
12 extensive pre-operative testing and other preparations;

13 WHEREAS, Ms. Muck's post-operative recovery will interfere with the July 26, 2005
14 hearing date;

15 WHEREAS, Ms. Muck has made a diligent effort to try to arrange for one of her
16 colleagues to supervise the filing of Defendants' reply brief and attend the July 26, 2005 hearing,
17 but given the time constraints, she was not able to make those arrangements;

18 IT IS HEREBY STIPULATED, pursuant to Northern District of California Local Rule
19 6-1 and 7-12, by and between the undersigned counsel for the parties that, in view of the
20 extraordinary circumstances imposed by Ms. Muck's surgical procedure:

21 (1) Defendants' reply in support of their motion to dismiss shall be filed on or before
22 July 26, 2005;

23 (2) The hearing on Defendants' motion to dismiss shall be on ~~August 23, 2005, or~~
24 ~~such other date as the Court may find convenient.~~ September 20

25 IT IS FURTHER STIPULATED, pursuant to Northern District of California Local Rule
26 6-1 and 7-12, by and between the undersigned counsel for the parties, that the parties may enter
27 into and submit a further appropriate stipulation amending this filing.

1 IT IS FURTHER STIPULATED that any counsel of record for a party in this action who
2 is not a member of the Bar of this District is hereby admitted to practice *pro hac vice* in this
3 district.

4 Dated: July 11, 2005

FENWICK & WEST LLP

5
6 By: /s/
Tanya Herrera

7 Attorneys for Defendants
8 INVISION TECHNOLOGIES, INC.; SERGIO
MAGISTRI and ROSS MULHOLLAND

9
10 Dated: July 11, 2005

ABRAHAM, FRUCHTER & TWERSKY, LLP

11 By: /s/
12 Jeffrey S. Abraham

13 Lead Counsel for the Plaintiffs

14 Dated: July 11, 2005

GLANCY BINKOW & GOLDBERG, LLP

15 By: /s/
16 Lionel Z. Glancy

17 Liaison Counsel for the Plaintiffs

18 **PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.**

19 DATED: 7/13, 2005

20 
21 The Honorable Martin J. Jenkins
22 United States District Judge
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